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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY: DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	**Mag. Case Number:** '07 MJ 2734
Plaintiff,	)	**COMPLAINT FOR VIOLATION OF**
	)	
v.	)	Title 21, U.S.C., Sections 952 and 960
	)	Importation of a Controlled Substance
Margarita DIAZ-Rios,	)	
	)	
Defendant	)	
	)	

The undersigned complaint being duly sworn states:

On or about November 22, 2007, within the Southern District of California, Margarita DIAZ-Rios, did knowingly and intentionally import approximately 7.90 kilograms of Methamphetamine, a Schedule II Controlled Substance, into the United States from a place outside thereof; in violation of Title 21, United States Code, Sections 952 and 960.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
SPECIAL AGENT
U.S. IMMIGRATION & CUSTOMS ENFORCEMENT

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 26th DAY OF Nov 2007.

MAGISTRATE JUDGE

United States of America
VS.
Margarita DIAZ-Rios

PROBABLE CAUSE STATEMENT

I, Special Agent Kathleen Martell, declare under penalty perjury, the following is true and correct:

On November 22, 2007, at approximately 8:04 A.M., Margarita DIAZ-Rios attempted to enter the United States from Mexico at the San Ysidro Port of Entry, San Diego, California. DIAZ-Rios, the driver, and her children, Manuel Isai ALCANTAR-Diaz (DOB: September 1, 2005) and Mauricio ALCANTAR-Diaz (DOB: August 27, 2007), were the occupants of a grey 2001 Honda Civic bearing Baja California, Mexico license BEJ3030. During a pre-primary inspection of the vehicle, a Customs and Border Protection (CBP-CEO) Canine Enforcement Officer utilized a Narcotic Detector Dog to screen the Honda Civic. The narcotic detector dog alerted to the presence of a narcotic odor emitting from the vehicle. The CBP-CEO called via radio for assistance from CBP Officers.

CBP Officers responded and received two negative Custom's declarations from DIAZ-Rios. DIAZ-Rios stated she was going to Los Angeles to visit her aunt and that she purchased the Honda Civic approximately two months ago in Tijuana, Mexico. Officers escorted the vehicle to the secondary inspection area for further inspection.

A CBP Officer was assigned to conduct a secondary inspection of the vehicle. During the inspection, the CBP Officer noticed numerous packages concealed inside a specially built compartment under the rear seat of the vehicle. The CBP Officer probed one of the packages and performed a presumptive test on the contents, which reacted positively for methamphetamine. A total of fifteen (15) packages containing approximately 7.90 kilograms of methamphetamine were found concealed in the vehicle and seized.

DIAZ-Rios was read her Miranda rights from a pre-printed form. DIAZ-Rios was arrested and charged with violation of Title 21 USC 952, 960, Unlawful Importation of a Controlled Substance, and was booked into the Metropolitan Correction Center, San Diego, CA.

Executed on November 23, 2007 at 10:00 A.M.

SPECIAL AGENT

On the basis of the facts presented in this probable cause statement consisting of 2 pages, I find probable cause to believe the that the defendant(s) named in this probable cause statement committed the offense on November 22, 2007, in violation of Title 21 USC 952 and 960 Unlawful Importation of a Controlled Substance.

United States Magistrate Judge Date/Time compartment under the rear seat of the vehicle. The CBP Officer probed one of the packages and performed a presumptive test on the contents, which reacted positively for methamphetamine. A total of fifteen (15) packages containing approximately 7.90 kilograms of methamphetamine were found concealed in the vehicle and seized.

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[signature]

SPECIAL AGENT

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[signature]

United States Magistrate Judge

11/23/07 @ 10:43 a.m.

Date/Time